

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

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	)	
KEILEE FANT, et al.	)	
	)	Case No. 4:15-CV-00253-AGF
Plaintiffs,	)	
	)	
v.	)	
	)	
THE CITY OF FERGUSON,	)	
	)	
Defendant.	)	
	)	

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**PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AS TO THE CITY'S  
LIABILITY ON COUNTS ONE, TWO, AND SEVEN**

Keilee Fant, Roelif Carter, Allison Nelson, Herbert Nelson, Jr., Alfred Morris, Anthony Kimble, Donyale Thomas, Shameika Morris, and Ronnie Tucker, as the representatives of the *Bearden* Class, the Modified *Gerstein* Class, and the Post-Judgment Class certified by the Court (ECF No. 519), and the members of those classes ("Plaintiffs"), by and through counsel, and pursuant to Federal Rule of Civil Procedure 56, move for summary judgment as to the City's liability for the constitutional violations under Counts One, Two, and Seven of the First Amended Class Action Complaint (ECF No. 53). In the alternative, Plaintiffs move for partial summary judgment finding that Plaintiffs' constitutional rights were violated under Counts One, Two, and Seven of the First Amended Class Action Complaint (ECF No. 53).<sup>1</sup> The grounds for this Motion are set out in the accompanying Memorandum of Law and Statement of Uncontroverted Material Facts (and exhibits thereto). A proposed order accompanies this Motion.

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<sup>1</sup> Plaintiffs maintain their other claims (Counts Three, Four, Five, and Six) and preserve for trial the issue of damages on all Counts.

## REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 4.02, Plaintiffs respectfully request that this Court hear oral argument on this Motion as they believe that oral argument will be helpful to fully address the issues raised by the Motion.

Dated: March 13, 2023

Respectfully submitted,

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